

Shoreline Management Plan

J. Strom Thurmond Project

Purpose

The Shoreline Management Plan, J. Strom Thurmond Project, provides guidance and information for efficiently and effectively managing the shoreline, including adjacent public lands and waters of the Thurmond Project. J. Strom Thurmond Project is public property, as such, it is available for use by all. Types of private uses that may be permitted on lands and waters managed by the U.S. Army Corps of Engineers (Corps) are described. Further, the plan addresses shoreline allocations, violations, and other relevant information specific to the Thurmond Project shoreline management program.

Objective

The Corps is responsible and accountable for managing the shoreline, including adjacent public lands and waters, in a manner that promotes safe and healthful public use, and also maintains environmental safeguards. Striving to sustain quality natural resources for both present and future generations while providing and accommodating general public access to all project lands and waters is a continual goal. Our objective, as stewards of this public resource, is to maintain a balance between permitted private uses, long-term natural resource protection, and public recreational opportunities.

Authority

This plan was developed and prepared in accordance with the requirements directed in *Engineer Regulation (ER) 1130-2-406*, dated October 31, 1990, titled “*Project Operation – Shoreline Management at Civil Works Projects*,” as per change dated September 14, 1992, and change 2 dated May 28, 1999.

Policy

“It is the policy of the Chief of Engineers to protect and manage shorelines of all Civil Works water resource development projects under Corps jurisdiction in a manner which will promote the safe and healthful use of these shorelines by the public while maintaining environmental safeguards to ensure a quality resource for use by the public.” ER 1130-2-406.

Jurisdiction

The term “project” refers to the water areas of any water resources development project administered by the Chief of Engineers, without regard to ownership of underlying land, to all lands owned in fee by the Federal Government and to all facilities therein or thereon of any such

water resources development project. The states of South Carolina and Georgia and their political subdivisions retain statutory responsibility to enforce state and local laws. The Corps cooperates with respective Federal, state and local agencies in their enforcement responsibilities specific to Thurmond Project lands and waters. In the event of natural disaster, such as tornado, windstorm, hurricane, etc., which causes damage to public property, adjacent property owners may call the Thurmond Project Office, toll free at 1-800-533-3478, for guidance and information.

Public Involvement

The development of the 2001 Shoreline Management Plan entailed extensive public involvement. During the fall, 1999, a focus group, comprised of citizens representing permittees and other lake related interests, provided input to the Corps relative to the major issues with the 1993 Shoreline Management Plan. In February 2000, three public workshops were conducted to obtain comments on the 1993 plan, and receive input specific to developing the revised plan. The workshop locations were McCormick, South Carolina; Evans and Lincolnton, Georgia. Over 600 individuals participated in these workshops.

Following the workshops, written comments were accepted for a period of 60 days. Comments received, including input from the focus group and public workshops, were used to draft a revised plan, which was distributed for further comment in July 2000. Additional comments were received relative to the draft plan through September 2000. A week long "open house" was also held during August 2000, to discuss, clarify and receive comments on the draft plan. The Thurmond Project Office made additional revisions to the draft plan and it was then submitted to Savannah District and South Atlantic Division Offices for final approval.

Project Description and History

J. Strom Thurmond Dam and Lake was the first Corps flood control project to be built in the Savannah River Basin and was completed in 1954. Originally authorized by the Flood Control Act of 1944, this multi-purpose project is located on the Savannah River, 22 miles above Augusta, Georgia. Authorized purposes for the project include flood control, downstream navigation, hydroelectric power production, recreation, water quality/supply, and fish and wildlife management.

Thurmond Dam impounds a lake that stretches nearly 40 miles up the Savannah River and 26 miles up the Little River, Georgia. The lake covers approximately 71,100 acres at the normal summer pool elevation of 330' mean sea level (msl) and has nearly 1,200 miles of shoreline, with the entire project comprising 150,000 acres of public land and water. Thurmond Lake is one of the largest inland bodies of water in the Southeast, with mixed stands of pines and hardwoods covering the lake's irregular shoreline, providing habitat for a diversity of plant and animal types.

Project Lake Elevations

Thurmond Lake is regulated and managed according to established guides or rule curves, which determine the optimum lake elevations. Throughout the period from April through September, the lake is maintained as near to the normal summer pool elevation as possible. During the fall, October through December, the rule curve gradually falls to 4 feet below the full conservation pool level to allow for additional flood control storage during the spring months. The rule curves serve only as guides. Actual operation may vary depending on power demand, water quality, flood control, recreation considerations, and meteorological conditions.

With the fluctuation that normally occurs in lake elevation, resulting low water conditions may create potential hazards in some areas. Issuance of a shoreline use permit for a floating facility does not guarantee that the facility will be usable during periods of normal winter draw down or extended drought.

Shoreline Allocations

To meet the objectives of *ER 1130-2-406* and the project's Master Plan, the Shoreline Management Plan classifies Thurmond Lake's shoreline to balance and promote its orderly use and development. The shoreline use permit/license program is an essential tool in managing activities on project lands and waters. Activities may include, but are not limited to, constructing and maintaining floating facilities, utility lines, walkways, and modifying vegetation. The shoreline at Thurmond Lake is allocated into the five following categories:

- **Limited Development Areas**
- **Public Recreation Areas**
- **Protected Shoreline Areas**
- **Special Use Areas**
- **Prohibited Access Areas**

The shoreline allocation for Thurmond Lake is shown in Table 1 on the following page. Maps showing detailed information specific to shoreline allocations may be viewed at the Thurmond Project Office.

The shoreline adjacent to Savannah Lakes Village will be administered in accordance with this plan except as noted in the Memorandum of Agreement between the U.S. Army Corps of Engineers and Cooper Communities, Inc., dated April 25, 1988. This Memorandum of Agreement is available for review at the Thurmond Project Office.

Table 1 - SHORELINE ALLOCATION

Allocation Category	Map Color	Amount	Description
Limited Development	Green	18%	Certain specific private uses may be authorized in these areas if a permit is obtained. Applications are reviewed "first come/first serve," and are based on individual merit. Several resource management considerations must be satisfied prior to approving or denying a permit including density of development, navigation, environment, safety, and site conditions. Access and site requirements are discussed under Shoreline Use Permit/Licenses on page 6.
Protected Shoreline	Yellow	62%	Areas designated to maintain or restore aesthetic values; to protect fish and wildlife habitat and other environmental values; to protect cultural, historical, and archeological resources; to protect channels for navigation; to restrict structures from water too shallow for navigation, subject to excessive siltation, erosion, rapid dewatering, or exposure to high wind, wave or currents are allocated under this category. No permits for new private structures or utilities will be authorized in these areas. However, permits may be granted for minor modifications to vegetation, such as creating a path to the shoreline if determined the activity will not adversely impact the environmental values or physical characteristics that classified the area as protected.
Public Recreation	Red	15%	These areas are specifically designated in the Project's Master Plan for present, or future, intensive recreational development. No permits for private uses are issued in areas with this designation.
Special Use	Orange	5%	Areas outgranted to quasi-public organizations, local and state agencies, and other Federal agencies for specialized uses. Permits for floating facilities & certain land based activities may be permitted only to the leasee in this area designation.
Prohibited Access	Blue	1%	Areas reserved for project operation are allocated under this classification and include lands located in the proximity of the hydropower structure, operational areas, and water intake structures.

Shoreline Use Permit/License

Shoreline Use Permit/Licenses are instruments used to authorize private structures or activities of any kind affecting lands or waters of the Thurmond Project. All Shoreline Use Permit/Licenses are issued on a first-come, first-serve basis in accordance with Title 36, *Code of Federal Regulations, Chapter III, Part 327, and ER 405-1-12, Chapter 8.*

Boats do not require a Shoreline Use Permit, however, they may not be abandoned, stored or left unattended upon project lands or waters. Vessels may be moored at a permittee's dock facility, or mooring buoy. Dock facilities, which are located adjacent to public property, include: floating "flat T" boat docks, boat docks with slip, and community docks. Permit/Licenses may also be issued for vegetative modification, specified utilities right-of-ways, improved steps/walkways, and other land based activities. Application procedures for Shoreline Use Permit/Licenses are described in *Exhibit I*. Permit/Licenses are issued for a term up to five years, are temporary in nature and have expiration dates. Permit/Licenses contain specific conditions listed on the application. These conditions are contained in *Exhibit II*. Other special conditions may be listed on the front of the permit in a space provided. It is highly recommended that the applicant become familiar with all permit conditions prior to completing the application.

The issuance of a Shoreline Use Permit/License does not convey any personal property rights or private exclusive use rights of project lands or waters. The permittee may take lawful precautions to protect their personal property from theft, vandalism, and trespass. The permit holder will in no way preclude the public's right to legitimate and lawful use of project lands and waters adjacent to private property. Permit/Licenses are not issued for commercial or speculative purposes in order to enhance the selling potential of adjacent private property. Permits will not be issued to minors.

Fees will be collected for specified permitted activities prior to issuance of a Permit/License. A fee schedule published separately is available from the Thurmond Project Office and is also provided during the application process. Fees are subject to change.

Permit/Licenses are non-transferable and become null and void upon sale or transfer of the permittee's adjacent private property, sale or transfer of the permittee's permitted facility or death of the permittee and legal spouse. If ownership of adjacent private property or permitted facilities is sold or transferred, the permittee or prospective new owner must notify the Thurmond Project Office prior to the completion of the sale or transfer. The new owner must apply for a Shoreline Use Permit/License within 45 days after completion or the new owner must remove the facility and restore the use area within 45 days from the date of ownership transfer. Recommendations made by Corps field personnel relative to the issuance of permits are subject to review by management personnel. All applications for Permit/Licenses on Thurmond Project must be approved by the Operations Project Manager or a designated representative prior to the beginning of any work on project lands/waters.

Nationwide Permits

Certain activities in waters of the United States are regulated under Title 33 of the U.S. Code of Federal Regulations. The authority to evaluate and authorize Nationwide Permits for activities on the Thurmond Project of a minor nature relative to Section 10 of the 1899 Rivers and Harbors Act and Section 404 of the Clean Water Act has been delegated to the Thurmond Operations Project Manager. These activities include construction in Navigable Waters and the deposit of dredge or fill material in the Waters of the United States and include only activities which are minor in nature that would cause only minimal individual and cumulative environmental impacts. These activities include: dredging; intake structures; discharge structures when the discharge does not require a National Pollutant Discharge Elimination System (NPDES) permit; construction of or maintenance of a fixed structure, e.g., a fixed dock and/or rip rap or retaining walls. Additional information on activities regulated under Title 33 may be obtained from the Operations Project Manager, the Savannah District Regulatory Office or from the following website: www.sas.usace.army.mil/permit.htm

Access Requirements

Applicants for a Shoreline Use Permit/License must have legal access from private property to project lands and/or waters. Public roads do not serve as legitimate access. However, in situations where a public road is between adjacent private property and public land, the owner would be considered an adjacent landowner to public land. Proof of access must be validated by submitting a copy of the recorded deed for the adjacent private property. Where adjacent property is held in an “undivided interest” such as a club, private community corridor, etc., the permit applicant will provide proof of membership and/or deeded access. Permit applications will not be accepted where access to public land is obtained through an easement granted by a private property owner.

Site Requirements

Requests for new activities or structures will be reviewed in accordance with the shoreline allocation map. The master map depicting the shoreline allocations is available for viewing at the Thurmond Project Office. Permits will not be issued in areas determined to be wetlands, to be environmentally sensitive, or to have cultural, historical, or archaeological significance. The location of the activities must not cause a safety hazard to the applicant/user or general public. Specific site requirements for permissible activities and structures are defined under their respective sections.

Designs for Persons With Disabilities

Special deviations from the design requirements for dock structures, walkways, ramps and steps, or limited access to the shoreline, may be permitted to accommodate disabled

members of the adjacent landowner's household. To qualify for special consideration, the individual must be eligible for and receiving Federal or state assistance or have other justifying documentation. Every effort will be made to grant permits to those who meet the eligibility requirements. However, site conditions and other circumstances may limit accommodation of every applicant.

Dock Facility Definitions and Requirements

Many requirements, including certain physical site characteristics, are considered and must be met prior to a decision regarding the issuance of a Shoreline Use Permit/License for a private individual floating facility or community floating facility. One private floating facility may be allowed for each separate piece of property that an individual may own, providing all criteria is met regarding permit issuance. Separate is defined as properties that have been professionally surveyed and platted by a licensed surveyor.

- **Location:** The area where the adjacent private property and public property share a common boundary is considered the access area for the purpose of floating facility location. When selecting a private dock site, the dock will be placed in front of this common boundary line frontage, as determined by the Park Ranger and approved by the Operations Project Manager. This may require an applicant to locate a dock in shallower water versus putting the dock in the most convenient location. Dock facilities will not be placed so as to interfere with navigation or create a safety hazard.

When selecting a community dock site, the dock will first be placed in front of the common boundary line frontage of the designated agent or first member, as determined by the Park Ranger and approved by the Operations Project Manager. If a community corridor is being used as an access point by the interior lot owners of the adjacent community, only a community dock may be authorized and the community dock must be placed within 200 feet of the community access point. Public roads will not constitute legal access when applying for a permit.

- **Spacing:** The area considered for a new floating facility permit must provide for a 50-foot buffer spacing between the proposed facility and any existing facility or mooring buoy at 330' msl. This buffer is from the nearest point of one facility to the nearest point of another. This spacing is to provide an area for boat maneuverability, water level fluctuations and public safety. The entire dock and walkway must not extend over 1/3 the distance across the cove, measured from the 330-foot elevation mark on the shoreline of both sides. The length of any dock, including any moored vessel, must not interfere with the navigation channel at any time. Approved new docks shall be placed so as to have the least impact on navigation. In locations where two or more docks could be placed in the same general area but all docks could not meet the spacing requirement, e.g., small coves or narrow lots, dock permits will be issued on a first-come, first-serve basis.

- **Water Depth:** Low water conditions and potential hazards may exist in some areas with the normal fluctuation in lake elevation. If the proposed floating facility would have sufficient water depth to be serviceable for at least a part of the recreation season, a permit application will be accepted for review. If a permit for a dock is issued at such a location, a statement will be typed on the permit under "Special Conditions" to indicate that the applicant is aware of the shallow water conditions at the time of application.
- **Boat Dock with Slip:** A structure with a boat mooring slip (s). The maximum dimensions shall not exceed 720 square feet, including the slip, which is called the "footprint" of the dock (actual water surface areas occupied by the dock structure, including the slip area). Additional roof overhangs of up to 24 inches will be allowed. Staircases overhanging the edge of the bottom deck area of a covered dock will be considered as additional square footage to the overall dock size. NOTE: All dock configurations are subject to approval by the Corps and must be engineer certified. Enclosed structures are not authorized.
- **Flat-T Boat Dock:** An open sided structure, with (or without) a roof and without a boat mooring slip. As a standard, the maximum dimensions shall not exceed 200 square feet.
- **Community Dock:** A structure with one or more boat mooring slips, with (or without) a roof and shared by more than one individual. Design for community docks must show the multiple dock configuration and maximum number of slips. Installation may be completed in phases. The combined area of the first two slips can not exceed 1160 square feet with each additional slip authorized up to 454 square feet. Additional roof overhangs of 24 inches will be permitted on community docks. Dock center walkways shall not be more than six feet wide or less than three feet wide. Slip fingers may be a minimum of three feet and a maximum of four feet in width.

A community dock agreement must be completed, signed by the designated agent and submitted with the Permit/License application. The names and addresses of community dock members must also be submitted with the application. Community dock members must permit other individuals to add on to the dock until the maximum size is reached. One dock slip per separate piece of property may be issued. An example of a community dock agreement with defined requirements is available from the Thurmond Project Office.

Applications for community docks will only be accepted providing the number of slips does not exceed the number of private individual docks that would be allowed in a given area. In established developments, one slip will be provided for each dockable lot in the designated area identified for inclusion on the community dock. Generally, one slip will be tentatively planned for every 70 feet (the minimum shoreline distance in feet required for a private dock) of dockable boundary line in the designated area identified for inclusion on the community dock.

- **Courtesy Dock:** Permits for courtesy docks to be used for temporary mooring adjacent to community access points may be approved. Courtesy docks will be located within 150 feet of the community access corridor. Courtesy docks may be constructed to a minimum of six feet and a maximum of ten feet in width and a minimum of 20 feet and maximum of 60 feet in length.

Normally, one courtesy dock will be allowed per subdivision or development. Additional courtesy docks must be justified by need and will be approved on a case by case basis. Minimum spacing criteria is 150 feet from existing floating facilities due to increased boating activity. Courtesy docks can be utilized for temporary mooring only.

Permits for courtesy docks may only be issued to homeowners/property associations, incorporated organizations or governmental agencies.

- **Mooring Buoy:** Placement of mooring buoys is subject to the same shoreline allocations and criteria as other private floating facilities. Mooring buoys must meet the requirements of the Uniform State Waterway Marking System. They must be white with a blue horizontal band 4 to 6 inches wide and stand a minimum of 18 inches above the waterline to be readily visible when a boat is absent. Only buoys manufactured for this purpose will be permitted.
- **Structural Support System:** The permittee is responsible for assuring that the dock is designed, constructed and maintained to ensure safety and structural integrity. This includes submitting plans approved by a state licensed engineer to assure structural safety, all plans for new docks and modifications to existing docks, including gangwalks and accessory items such as winch operated boat lifts, etc. Plans are to be 8 1/2" x 11" drawings showing the dimensions of the proposed structure and anchor system, construction materials and type and amount of flotation. If using a local dock builder, the drawing must reference the dock builder's master plan on file at the Thurmond Project Office.

Any material used in the construction of the dock facility must be noted on the plans and approved before construction begins. Construction materials commonly used for joist, rafters, studding and decking are wood and/or metal. All wood construction shall be either pressure treated or decay resistant. Creosote, arsenic or penta treated wood is not acceptable. Marine plywood may be used for decking. Metal decking must have a non-slip tread. All hardware (*nails, bolts, screws, etc.*) must be galvanized or stainless steel. All nails, bolts or screws must securely fasten supports and decking to maintain structural stability.

Unsafe dock conditions include, but are not limited to, protruding nails, bolts or screws; partially decayed or slick materials; ripped, jagged, sharp, pointed and splintered materials; loose or missing supports and decking; and loss of structural strength due to rust or broken joints. These and other unsafe conditions require correction in accordance with standards.

No deviation or changes from approved plans will be allowed without prior written approval from the Operations Project Manager or authorized representative. Modification of approved plans will require certification by a licensed engineer.

- **Structural Materials:** Including decking, nails, bolts, nuts, washers, etc., will be a type designed for outdoor use.
- **Dock Gangwalks:** Unless otherwise approved, gangwalks shall not be more than six feet wide or less than three feet wide.

If site conditions permit and safety considerations allow, all private individual floating facilities and courtesy docks will be permitted a 60-foot maximum gangwalk. Community facilities will be permitted an 80-foot maximum gangwalk. The maximum will be allowed, provided that: the total structure (dock and gangwalk, combined) will not extend beyond 1/3 the width of the cove at normal pool; the structure will not be closer than 50 feet to an existing floating facility; the structure will not extend into a marked navigational channel or cause a navigational hazard (blind curve, etc.); and the total structure of a private individual dock will not exceed 100 feet in length including gangwalk and gangwalk approach.

A gangwalk approach, maximum length 10 feet, may be permitted to allow safe access up to the gangwalk and will be considered as part of the maximum gangwalk length. The type of construction (normally a boardwalk) will be reviewed on a case by case basis.

- **Flotation Materials:** The flotation material for all docks shall be fabricated of materials manufactured for marine use. The float and its flotation material shall be 100% warranted for a minimum of eight years against sinking, becoming waterlogged, cracking, and peeling, fragmenting or losing beads. All floats shall resist puncture and penetration and shall not be subject to damage by animals under normal conditions for the area. New technologies will be considered on a case by case basis.

Flotation must be repaired or replaced when it is poorly affixed to the substructure; when the substructure or any fabricated portion of the floating facility is in contact with the water surface; when flotation is inadequate to support the structure meaning that less than one third the thickness of the flotation is above the water's surface; when flotation sections are missing; when damaged by chemicals such as gasoline; or when any condition renders the flotation ineffective. Flotation material made of bead-board construction that has been commonly approved for use is no longer authorized for dock flotation. All such flotation must be removed and replaced with approved flotation by December 31, 2001. Any docks that are authorized under issuance of new permit to a new owner will be required to meet the new flotation requirements within three months of permit issuance. Specifications for approved replacement flotation and flotation for use on all new dock installations is given in *Exhibit II – Application and Conditions for Shoreline Permit/License: Condition 14*. No metal covered injected drum flotation will be permitted. Flotation billets extending outside the edges of the dock will be considered as part of the overall square footage of the structure.

- **Safety Reflectors:** Owners of all shoreline use permits authorizing a boat dock are encouraged to supply, install and maintain on the dock at least four, three inch by three inch, international orange, red or white reflectors. It is recommended that these be placed on each side of the dock that is visible to boat traffic.
- **Dock Anchorage:** Docks must be physically attached to the shore with a gangwalk and cables. Cables must be stainless steel or galvanized. Deadman anchors (metal or wooden post or screw augers) are the preferred method for securing anchor cables. Cables must be attached to secure anchors above the 330' msl elevation and will not be attached to trees. Dock anchor plans are available from the Thurmond Project Office. During times of low water, temporary anchor pins below 330' msl are allowed. Dock owners are responsible for removing temporary anchor pins as lake levels return to normal.

Swim floats and mooring buoys must be anchored securely to prevent unnecessary drift.

- **Handrails:** Due to safety considerations, existing and new walkways four feet or higher above the ground or over water surfaces shall have a standard 39-42 inch high continuous and solid rigid handrail with an intermediate rail at 19-22 inches high on both sides of the walkway/steps. Handrails are required on all steps. Vertical posts (*spindles*) can be used in place of mid-rails if they are 12 inches or less apart.
- **Boat Dock Roofs and Sundecks:** Roofs may be gabled or flat and may overhang the dock up to 24 inches. Construction materials may include either wood and shingle or metal. If a second level sundeck is constructed, it must be encircled on the outer edge by an approved handrail with an intermediate rail or seating that is a minimum of 36 inches high.
- **Dock Storage Locker:** Enclosed storage will not exceed a maximum floor area of 24 square feet in size and must be fastened securely to the dock. The maximum height will be 48 inches on an uncovered dock and to the roof-line on a covered dock. No individual dimension will exceed eight feet. All storage compartments where batteries, gasoline or other flammable liquids are stored will be ventilated to prevent the accumulation of fumes. Batteries will not be stored in compartments with flammable liquids. The storage locker(s) are not to interfere with walking space, nor are they to be used for purpose of creating an enclosed boat dock.
- **Dock Furniture, Household Items, etc:** Although dock facilities are permitted for the purpose of providing moorage for vessels, it is recognized that docks may be used for other leisure activities where furniture is desired. Permanently mounted chairs and/or benches are permitted on boat docks; however, such items may not impede safe access on the structure.

Indoor furniture or household type items that denote habitation (*such as, but not limited to, couches, stoves, sinks and refrigerators*) are prohibited.

- **Slides, Diving Platforms and Diving Boards:** Due to the lake level fluctuations during normal winter drawdown and periods of drought, slides, diving platforms and diving boards will no longer be permitted on floating facilities because of safety concerns. Diving boards and slides previously permitted will be "grandfathered" and will be removed upon issuance of a new permit upon sale of property to a new owner.
- **Boat Hoists:** Boat hoists are permitted provided that the hoist lifts its load independently with no additional stress to the dock and documentation is provided by a certified professional engineer that the dock and hoist mechanism are specifically designed to support the additional weight of the specific boat to be hoisted. Hoists previously certified will not require re-certification upon permit expiration unless the hoist mechanism or the support structure has been modified, replaced or is in need of major repair. The applicant will be required to submit a statement verifying the initial certification and that no changes or alterations have been made.
- **Personal Watercraft Hoists:** Attachments such as these may be secured to a boat dock, but will be counted as part of the square footage of the dock structure since these type of facilities are permanent structures and increase the "footprint" (actual water surface area occupied by the dock structure, including slip area) of the dock. Personal Watercraft Hoists that are secured to the landward side of the dock structure (dead space) or within the slip of a dock structure will not be counted as part of the square footage since these locations do not affect the spacing between docks.
- **Shoreline Tie-Up:** Temporary shoreline tie-up is defined as the moorage of private boats along the shoreline for the period of time that the boat is actively used in recreational pursuits. Boaters are encouraged to contact local marinas for extended mooring of boats. Permanent mooring devices such as posts, stationary platforms, etc., will not be permitted on the shoreline.

Landbased Facility/Activity Requirements

Proposed landbased activities will be considered on public property between the common boundary, which is shared by the project and the adjacent landowner and the shoreline in limited development areas. Crossover of adjacent neighboring facilities will not be approved.

- **Electrical Service:** All electrical wiring must meet the requirements of the current National Electrical Code, county ordinances and the Corps. For new installation, replacement or modification of existing installations, or upon issuance of a new permit to a new owner or existing owner, wiring plans must be certified. A state licensed electrician or electrical engineer must certify that the electrical installation is ground-fault protected and material, workmanship and installation method meets or exceeds the current National Electrical Code Standards and Corps requirements for this type location.

The Corps requires that a ground-fault circuit interrupter (GFCI) protect all electrical lines on public property. In general, only one light pole (10-foot minimum to 15-foot maximum height) may be authorized for placement at or above elevation 331' msl. For additional specific information, refer to Powerpole Installation Diagram in the Resources Available List (pg. 26) of this plan. However, additional light poles or line lighting may be authorized to provide access along a designated pathway/walkway. Only the minimum lighting required for safe access may be authorized. If wood, the pole must be treated for ground contact. Other commercial products designed or suitable for outside light pole uses may be authorized.

Requirements for installation and use of electric service on floating facilities at Thurmond Lake are as follows: a plan must be submitted showing the location of all electrical installations on floating structures; all wiring on docks and gangwalks must be in approved electrical conduit; wiring leading to the dock must be attached to the gangwalk. A service disconnect shall be installed on a service pole or light pole adjoining the dock to de-energize the dock in the event of an emergency. All GFCI's, receptacles, light switches on the dock must be a minimum of 3 feet above the deck. Service disconnects installed on the light pole or service pole shall be a minimum of five feet above ground level.

Temporary wiring installations to allow boat docks to be relocated during periods of low water must be installed by a licensed electrician. Plans must be submitted to the Thurmond Project Office and approved prior to installation.

Installation of solar powered lights on a dock does not require a Permit/License. Solar powered lights installed along a pathway or on a service pole must be placed under Permit/License and will require approval by a state certified electrician.

The following statement must be on any plan submitted for electrical installation, signed and dated by a state licensed electrician or electrical engineer and the permittee:

"I certify that this electrical installation is ground-fault protected and material, workmanship, and installation method meets or exceeds the current National Electrical Code Standards and the U.S. Army Corps of Engineers requirements for this type location."

Electrician

Permittee

State Certification Number

Permit Number

- **Potable Waterlines:** No new permit/license will be issued for withdrawal of water from the lake by private individuals for drinking (potable) purposes. Any permit/license authorizing withdrawal of lake water for drinking purposes will be terminated upon issuance of a new permit if potable water is available from other sources (e.g. countywide water

service). Potable waterlines from private property may be permitted. Only one above ground spigot may be authorized on public land. An additional spigot may be installed on the dock. All waterlines must be attached securely to the dock and placed underground once above the 330' msl elevation. No restroom, shower or irrigation fixtures will be permitted on public property or floating facilities.

- **Non-Potable Waterlines:** Only the intake pipe and associated piping will be located on public property. All pumps and related power service will be located on private property or floating facility. Maximum size of pipe will be 1.5 inches in diameter. Submersible pumps will not be permitted. One spigot may be installed on the dock. The intake structure head will be located no lower than the 324' msl elevation. When pipe becomes exposed due to winter drawdown or drought conditions, it will be buried to that depth.
- **Other Activities:** Upon approval, other utilities such as telephone lines, intercom lines, etc., may be permitted, except in Protected Allocation Areas. No permits will be issued for private gasoline or diesel fuel line rights-of-way.
- **Improved Access:** The construction of new roads, ramps and turnarounds is no longer allowed. See section **Roads, Ramps, Turnarounds, and Other Facilities**, on page 17.
- **Paths/Walkways:** The four-foot wide meandering path must be left in a natural and unaltered/undisturbed state wherever possible. Pathways will follow a meandering route that conforms to the topography as much as possible to help prevent erosion, avoid the need for removal of vegetation and prevent the construction of bridges. If surface treatment is necessary to allow for better access across hazardous areas, then wood chips/shavings or on-site forest litter, are allowed only where needed on that portion of the pathway. If erosion is likely, due to the slope, landscaping timbers may be used to prevent the washing away of the surface treatment material on the down hill side only. Delineation of the entire pathway will no longer be permissible for new licenses.

If the slope prohibits safe access by means of a natural path, then steps may be authorized. All steps must be constructed of pressure treated material at least seven inches by seven inches in size without borders and cannot exceed four feet in width. Every effort should be made to prevent continuous running steps. Steps cannot be elevated to create a boardwalk. All steps must be constructed at contour or ground level. If back filling is required, the surface must be wood chips or similar mulch. Stepping stones not to exceed 18 inches square placed in the ground behind the pressure treated step (for a firmer base) are permissible or singly without the pressure treated step. If there is no alternative to avoid a ditch or low area, a foot bridge may be authorized. The length will be restricted to what is only needed to traverse the hazardous area. Any foot bridge greater than four feet above the ground must have a handrail. Improvements may be completed only to the permittee's meandering pathway leading to and within their designated underbrushing area. The applicant must submit a sketch with the requested improvements drawn on the pathway, showing the distance and type of materials that will be used.

- **Bank Stabilization:** Bank stabilization is defined as minor shoreline protection necessary to prevent erosion by using vegetative planting techniques, installing rip-rap material or constructing retaining walls. Permits may be authorized by the Operations Project Manager or authorized representative for bank stabilization under the Nationwide Permit No. 13 published in the December 13, 1996, Federal Register, Volume 61, No. 241. Plans for bank stabilization must be submitted and approved prior to beginning work. The Nationwide Permit Section (pg. 6) of this plan also provides further information.

Facility Maintenance

All permitted facilities, whether land or water based, must be used and maintained by the permittee in a safe condition at all times. Unsafe conditions shall be corrected immediately. If deficiencies are not corrected, the owner will be required to remove the facility at his/her expense.

- **Minor Repairs:** Minor repair does not require replacement or removal of the facility from the project. Using the facility without maintenance should not be life threatening and the facility can be repaired with minimal effort.
- **Major Repairs:** Major repair normally requires removal of the facility from the project. The facility usually has severe structural damage and using the facility without maintenance is life threatening.

Vegetative Modification

Shoreline vegetation is extremely important and essential in protecting water quality and the natural environment of the Thurmond Project. Adjacent landowners are encouraged to assist the Corps in maintaining and protecting the natural environment and resources of the project.

To be eligible for a vegetative modification permit, Shoreline Use Permit/License requirements as described in this plan must be met. Vegetative modification includes, but is not limited to, cutting, pruning, removal, or planting of vegetation.

- **Underbrushing:** The purpose of underbrushing is to provide safe access to the shoreline with minimal alteration to the existing vegetation. Permits are not issued to create vistas, for speculative purposes, beautification, etc. Underbrushing is defined as selective removal of woodland understory vegetation (shrubs, brush, vines, briars, etc.) or small trees 6" or less in diameter at the ground level, and periodic maintenance removal of re-growth. Underbrushing public property under existing permit conditions may be allowed to continue until the permit expires, or a change in permittee occurs. Upon this occurrence, the permit, for underbrushing in **Limited Development** allocations only, will be in accordance with the following requirements:

- **Size of Area:** The underbrush area is limited to 50% of the applicant's adjacent lot frontage, not to exceed a 150-foot width. In all cases, the distance to the shoreline must be less than 600 feet.
- **Vegetation Removal:** Underbrushing is limited to vegetation measuring less than 6 inches in diameter at the ground level. Under no circumstances will vegetation over 6 inches in diameter at ground level, or native ornamental, flowering trees and shrubs, be removed regardless of size. Native ornamentals include dogwood, redbud, holly, wild azalea, rhododendron, and magnolia. A complete list of native ornamentals, flowering trees and shrubs, is available from the Thurmond Project Office, and the website:
<http://www.sas.usace.army.mil/tsmp/>
- **Tree Spacing:** Once underbrushing is completed, the area should still be "wooded", with trees established to a maximum spacing of 15 feet on center. In areas that do not meet spacing, a variety of young, native hardwood seedlings and saplings will be selected, established by planting, and/or allowed to become established through natural regeneration in order to achieve and maintain this spacing.
- **Tree Limbing:** Limbs on remaining trees and vegetation may be cut even with the trunk up to one third the height of the tree and/or plant, not to exceed 18 feet.
- **Tools:** Underbrushing may be accomplished by using tools that allow the operator to selectively remove vegetation approved by the permit/license. Acceptable tools include, but are not limited to, power hand tools, chain saws, weed trimmers, and small riding mowers. Heavy equipment, such as tractors, bush hogs, and bulldozers are prohibited. Dead or diseased trees may be cut only after inspection, approval and marked by a Park Ranger.
- **Path/Walkway:** To provide safe access to and from the lake, a 4-foot wide meandering path extending from private property to the shoreline may be incorporated within the defined underbrush area. Where the point of access is 600 feet or more to the shoreline, only a path is permitted.
- **Burning:** In general, open burning on public land is prohibited by Title 36. However, burning on public land is permitted to those individuals with a valid underbrushing permit and is restricted to the exposed lake bottom below 330' msl elevation with no approval required from the Thurmond Project Office. Burning is limited to only those materials removed from public land as part of underbrushing. Any burning activities must be coordinated with the local fire agency and be in strict accordance with all applicable state and local laws.
- **Fire Protection:** Underbrushing may be authorized up to a 30-foot radius from a dwelling or substantial structure located on private property to provide a reasonable degree of fire safety protection.

- **Vegetative Planting:** Adjacent property owners are encouraged to assist in maintaining the natural wooded shoreline appearance of the Thurmond Project. Permittees may plant native species of trees and shrubs with prior approval, provided the plantings are located in a random fashion, native to the site, and positively enhance the natural environment. Only native species may be planted on public land. Flower or vegetable gardens are not authorized. A complete list of the native vegetation that is approved for planting is available from the Thurmond Project Office and the website: <http://www.sas.usace.army.mil/tsmp/>
- **Regeneration of Open Areas:** Open areas are defined as those areas of public land where a natural mixture of native plants does not exist at a maximum spacing of 15 feet on center. Most of these open areas are established grassed areas, which were permitted in the past, however, some may also be areas that have slowly been stripped of vegetation through excessive underbrushing.

Grassed areas currently authorized by an existing shoreline use permit/license have been considered a “prior commitment” in the past and allowed to remain until the permit becomes null and void. These areas will no longer be treated as a “prior commitment,” but will be considered to be authorized by an existing shoreline use permit/license until the current permit expires or a change in property ownership occurs. At such time, in cooperation with the permittee, a plan will be developed to replant the area with a mixture of native trees/shrubs, or to allow the area to undergo natural regeneration (no underbrushing allowed with the exception of a 10-foot wide path). If planting is chosen over natural regeneration, the permittee is then allowed to underbrush/mow the planted area for a period of 15 years, after which, any mowing or underbrushing activities will be limited to an underbrush area as described in the **Underbrushing** section of this plan. If inspections of planted areas reveal that the plantings are not surviving, the underbrushing portion of the permit/license may be revoked, and the entire area left undisturbed to regenerate naturally, with the exception of a 10-foot access path to the shoreline.

- **Authorization:** As with any activity on public property, vegetative modification, whether it be underbrushing or planting, must be authorized and an approved permit received by the applicant prior to commencement of work on-site. Initiation of the permit process begins with an on-site meeting with a Park Ranger to identify where underbrushing can be authorized and to develop a vegetative modification plan.

Roads, Ramps, Turnarounds, and Other Facilities

The construction of new roads, ramps, turnarounds, land based boathouses, marine ways, fixed gangwalks, pump houses, picnic shelters, and patios is no longer allowed. Existing permits for these items are allowed to remain provided the facilities are maintained in a safe and usable condition. New property owners may also obtain permits for these facilities provided the existing facilities are protected by public law as outlined and described in the **“Protected” Activities, Structures and Facilities** section of this plan. If not covered and protected by public law as described, the existing facilities must be removed when the current shoreline use

Permit/License becomes null and void due to a change in ownership. If the facility becomes unsafe or poses a threat to life or property, it must also be removed. Existing roads, ramps and turnarounds may be repaired to the original dimensions with the same material as was originally permitted. Vehicular traffic not authorized by an existing permit is also prohibited.

“Protected” Activities, Structures and Facilities

In accordance with Public Law 99-662, certain facilities will be placed in a “protected” status. All other permits will comply with the requirements of this plan. "Protected" items include, and are limited to, the following:

- **Docks & Appurtenant Structures:** *Public Law 99-662* prohibits forced removal of previously authorized docks and appurtenant structures, (*improved walkways, utility lines, boat ramps, etc.*), which were at their originally authorized locations on or before November 17, 1986, providing they are maintained in usable and safe condition; they do not occasion a threat to life or property; and the holder of the Permit/License substantially complies with the terms of the existing Permit/License. However, replacement flotation must meet all current requirements, handrails must be installed as required, and electrical systems must meet the requirements described under the National Electric Code. All public law protected facilities can only be maintained at their originally approved size and location. Any modifications to the facility, whether authorized or not, result in loss of public law protection, requiring removal upon change of property ownership. The "protected" status can be overridden when deemed necessary for public purposes, for navigational use, or for flood control. The public law does not exempt the permittee from complying with the conditions of the permit or any permitting requirements.

Shoreline Management Violations

Rules and regulations governing the Shoreline Management Program are enforced through *Title 36, Code of Federal Regulations, Part 327*. Violations will require corrective action and may result in revocation or modification of permit privileges, payment of collateral forfeiture, mandatory appearance before a U.S. Magistrate or stronger enforcement action, such as termination of the permit/license and/or restitution. Generally, violations are noted and addressed when facilities/activities are inspected prior to either expiration of existing permit or issuance of a new permit to a new owner. However, all permitted facilities and activities are subject to periodic inspection by authorized Corps representatives. The permittee will be notified of any deficiencies and a schedule for their correction. No deviation or changes from approved plans will be allowed without prior written approval of the Operations Project Manager or authorized representative.

Vehicles on Government Property

- **Golf Carts and Lawn Tractors:** Only golf carts and lawn tractors may be used on designated pathways or walkways.
- **All other vehicles:** The use of motor vehicles including but not limited to cars, vans, trucks, motorcycles and all-terrain vehicles along the shoreline is prohibited. These vehicles may only be used on designated roadways already approved by a Shoreline Use Permit/License.

Specified Acts Permits

The Specified Acts Permit is a non-fee, short-term permit issued for a specified one-time act for minor activities on project lands/waters. The permit will detail the authorized work including methods to be employed; types of equipment to be used; and time frames for completing, locating and restoring public land. Drawings, plans, or photographs may be required to process the permit. Specified Acts Permits are not issued for activities that will damage, destroy, or significantly alter public lands or features. Each request will be reviewed based on environmental laws and regulations.

- **Hazardous Trees:** Dead trees play an important role within the natural element by providing habitat for wildlife. However, if the location of a dead tree endangers life or property, a Specified Acts Permit may be issued to the adjacent landowner to cut and/or remove the tree from public property.
- **Herbicide Applications:** A Specified Acts permit for herbicide application may be issued to adjacent property owners with a Shoreline Management Permit/License. Only state-licensed applicators may perform the actual spraying of approved chemicals on government lands and waters.

Boundary Line Management

The boundary line does not uniformly follow a specific contour, but consists of straight lines between surveyed points. It is maintained in accordance with standard survey techniques currently used by licensed surveyors. The boundary line is marked by placement of monuments in the ground and “witnessed” by orange paint on trees. *The witness trees marked in orange do not represent the exact boundary line, but simply indicate that the line is nearby.* Boundary line markings are illustrated in the brochure, *Let's Draw the Line at Thurmond Lake*. Since the boundary line is a common boundary between the Corps and the adjacent landowner, both parties assume responsibility for the line.

The Corps, however, does not assume responsibility for identifying the line upon request. The Corps encourages and recommends that private surveys be obtained by using a licensed surveyor prior to purchase of property adjacent to government land. If needed, the Corps will provide information concerning the boundary line to assist with any surveys. If discrepancies

with the boundary line are identified, contact the Thurmond Project Office to pursue resolution. The alteration of any kind of monuments or other government boundary line markings is a violation of *Title 36, Code of Federal Regulations, Part 327*.

Encroachment Resolution

An “encroachment,” pertains to a structure or improvement built, installed or established, which interferes with a real estate interest of the United States, either a fee interest or an easement if such is prohibited in the deed. An encroachment has occurred where the structure or improvement extends over, across, in or upon lands in which the Government owns a real estate interest which would prohibit such and the structure or improvement has not been approved. Encroachments are generally classified as either minor or major.

Minor Encroachments: Minor encroachments are those items of unauthorized personal property that are mobile and moveable, not attached to a structure. Minor encroachments include but are not limited to swings, grills, picnic tables, benches, gardens, hammocks, parked vehicles, firewood, lumber, etc.

Major Encroachments: Major encroachments are those items of unauthorized real property that are fixed and include but are not limited to any portion of a residence, shed, barn or building. Other examples include fill dirt, septic tanks, drain fields, decks, porches, and storage buildings. Adjacent landowners are encouraged to build structures a distance sufficiently away from the boundary line to allow proper maintenance and to reduce the possibility of subsequent encroachments when adding decks, steps, porches, patios, etc. Deed restrictions and county ordinances should be checked to determine if set back requirements exist. Prudence should be exercised to ensure that structures and related items do not extend over or onto public property.

Existing major encroachments will require resolution prior to issuance of a new permit to a new owner or upon expiration of existing permit.

Natural Resources Management

Natural resources management has been an integral part of the Thurmond Project since its completion in 1954. The overall goal of the natural resources program is to assure that these resources are sustained and enhanced for future generations. For more information on natural resources management programs, recreational opportunities, and rare, threatened, and endangered species in the region, contact the Thurmond Project Office or visit our web site at <http://www.sas.usace.army.mil/lakes/thurmond>

Wildlife Management: The goals of the Thurmond Project wildlife management program are to maintain habitat diversity, improve habitat for a variety of game and non-game species, encourage and accommodate public use and appreciation of wildlife resources, and in the case of rare, threatened, or endangered species, to provide optimum habitat conditions and/or

protection. The Corps manages over 29,000 acres of project lands for wildlife. Another 26,000 acres of project lands have been leased to the Georgia and South Carolina Departments of Natural Resources for wildlife management.

Fisheries Management: The goals of the Thurmond Project fisheries management program are to protect, conserve, and restore aquatic ecosystems, to assist partners in improving the quality and quantity of fishing opportunities, and to encourage and accommodate public use and appreciation of the project's fisheries resources. Major emphasis is placed on maintaining lake conditions favorable for fish spawning and survival including minimizing lake level fluctuations during spring spawning and providing structure for cover in the lake. The Georgia and South Carolina Departments of Natural Resources, on average, stock more than 220,000 striped bass and 610,000 hybrid bass annually. In addition, they conduct fisheries population studies, provide boat launching areas, fishing piers, and bank fishing areas, and monitor water quality.

Forest Management: The goals of the Thurmond Project forest management program are to sustain and enhance the health, vigor, and diversity of the project's forest to support recreation and wildlife management programs, protect and improve water quality, facilitate and improve public use and enjoyment of public property, and provide a sustained yield of quality forest products. Accepted forest management practices including insect and disease suppression, timber harvesting, prescribed fires, chemical and mechanical site preparation, and regeneration are methods employed to assure the continuation of the resource. Revenues generated from the sale of forest products are returned to Thurmond Project to support recreation and natural resources management programs.

Aquatic Plant Management: The goal of the aquatic plant management program is to reduce impacts to authorized project purposes caused by nuisance levels of aquatic vegetation. Hydrilla, *Hydrilla verticillata*, is the plant species of major concern in Thurmond Lake. The Aquatic Plant Management Plan for the U.S. Army Corps of Engineers, Savannah District Water Resources Project, South Carolina and Georgia (APMP) was prepared in 1998 to establish treatment priorities based on impacts to authorized Project purposes, funding, treatments by others, and environmental impacts. The Corps will not be able to treat all areas where aquatic vegetation reaches nuisance levels. Furthermore, as stewards of public funds, it is understood that the benefits derived from treatment should exceed the cost of treatment.

Adjoining property owners may treat hydrilla around their docks provided they obtain a specified acts permit from the Thurmond Project Office. There is no charge for the permit. An individual who is licensed by the state in the aquatic herbicide category must apply the herbicide. Permits are not required for the cutting and removing of aquatic vegetation from around private boat docks and single lane boat channels provided such work is accomplished with hand tools only.

There are numerous other aquatic plants, which have the potential to impact Thurmond Lake if they are accidentally introduced. These plants include water hyacinth, eurasian

watermilfoil, water lettuce, and giant salvinia. Many of these plants are sold for water gardens and small fishponds. For more information on aquatic plants contact the Thurmond Project Office or visit the following web site <http://www.dnr.sate.sc.us.lwc/index.html>

Water Quality and Water Supply: The Corps has had an extensive water quality monitoring program in place since 1983 to assess the water quality in Thurmond Lake and water discharged through Thurmond Dam. In addition, various state agencies and other Federal agencies periodically monitor water quality.

Thurmond Lake has not experienced problems with nutrient loading caused by agricultural runoff or municipal sewage. Likewise, pollutants from industry located near project lands or tributaries to the lake have not caused water quality problems thus far. However, runoff from lawn fertilizers, pesticides, and malfunctioning septic systems have the potential to cause localized water quality problems. Adjoining property owners should pay close attention to these items to prevent such problems from occurring.

Water quality is important, as Thurmond Lake is the source of water supply for several domestic users, which withdraw directly from the lake. Water supply users include McCormick County, SC; McDuffie, Columbia and Lincoln Counties, GA; and the cities of Washington, Lincolnton, and Thomson, GA.

Marshes and Wetlands: Since the lake was impounded, numerous marshes and wetlands have formed along tributaries and in shallow coves. These areas provide critical habitat for many waterfowl, fish, shorebirds, mammals, reptiles, and amphibians. In addition, these areas play a major role in recharging ground water supplies, filtering runoff, and slowing flood waters. For these reasons, permits will not be issued if the permitted activity may have a negative impact on marshes or wetlands.

Administrative Review

In order to resolve situations relative to permit issues not specifically addressed in this Shoreline Management Plan, the Thurmond Project Office will conduct an administrative review. Determinations will be made based on public laws, policies, and other regulatory guidance and standard practices at other similar projects.

Conclusions

The Corps is charged to protect and manage the Thurmond Project within its scope of authority while providing recreational opportunities for the entire public. It is the intent of this Shoreline Management Plan to provide the maximum benefit to the public within the physical limitations of the project. This intent must be balanced within the authorized purposes of the project and existing operations. The Operations Project Manager will continue to monitor the needs of project users and recommend revisions to minimize conflicts between various interests. This Plan will be evaluated for major revision as needed. In advance of recommending any major revision to this Plan, additional public involvement will occur.

Further information on the Plan may be obtained by contacting the J. Strom Thurmond Project Office at 1-800-533-3478.

Joseph K. Schmitt
Colonel, U.S. Army
District Engineer

References

Executive Order

1977 E.O. 11988, *Floodplain Management*.

Executive Order

1977 E.O. 11990, *Protection of Wetlands*.

Executive Order

1995 E.O. 12962, *Recreational Fisheries*.

Federal Register

1996 *Code of Federal Regulations*, Title 33 "Navigation and Navigable Waters," Chapter II, "Corps of Engineers, Department of the Army," Part 330 "Nationwide Permit Program."

Federal Register

2000 *Code of Federal Regulations*, Title 36 "Parks, Forests, and Public Property," Chapter III, "Corps of Engineers, Department of the Army," Part 327 "Rules and Regulations Governing Public Use of Water Resources Development Projects Administered by the Chief of Engineers."

National Fire Protection Association

1995 *National Electrical Code 1996*. NFPA, Quincy, MA.

Public Law

1899 *Rivers and Harbors Act of 1899*, Section 10. (33 USC 403)

Public Law

1946 P.L. 79-525, *Rivers and Harbors Act of 1946*.

Public Law

1960 P.L. 86-717, *Forest Conservation Act*.

Public Law

1966 P.L. 89-655, *National Historic Preservation Act*. (16 USC 470 *et seq.*)

Public Law

1973 P.L. 93-205, *Endangered Species Act*.

Public Law

1974 P.L. 93-291, *Archeological and Historic Preservation Act*. (16 USC 469-4690)

- Public Law
1977 P.L. 95-217, *Clean Water Act*, Section 404. (33 USC 1344)
- Public Law
1979 P.L. 96-95, *Archeological Resources Protection Act*. (16 USC 470aa-490mm)
- Public Law
1986 P.L. 99-662, *Water Resources Development Act of 1986*, Section 1134(d).
- Public Law
1990 P.L. 101-601, *Native American Graves Protection and Repatriation Act*.
(25 USC 3001-3013)
- U. S. Army Corps of Engineers, Engineer Regulation
1990 ER 1130-2-406, *Project Operation - Shoreline Management at Civil Works
Projects*.
(as per Change 1, dated 14 Sep 92; and Change 2, dated 28 May 99)
- U. S. Army Corps of Engineers, Engineer Regulation
1994 ER 405-1-12, *Real Estate Handbook*.
- 1993 *Lakeshore Management Plan, J. Strom Thurmond Lake*
- U. S. Army Corps of Engineers, Savannah District Report
1995 *Master Plan for J. Strom Thurmond Lake*

Resources

The following resource materials are available from the Thurmond Project Office or from the website: www.sas.usace.army.mil/tsmp

- Gangwalk Extension Form
- Electrical Certification Form
- Application for Installation of Rip-Rap
- Application for Removal of Silt Material by Minor Dredging
- Native Vegetation Planting List
- Let's Draw the Line at Thurmond Lake (boundary line brochure)
- Self Inspection Form for Permit Reissuance
- Permit Tag Location
- Powerpole Installation Diagram

-Exhibits-

Exhibit I

SHORELINE USE PERMIT/LICENSE AT J. STROM THURMOND PROJECT

A Guide To Applicants

INTRODUCTION

The U.S. Army Corps of Engineers welcomes you to J. Strom Thurmond Project. Constructed by the Corps in 1954, the project has become one of the most popular federally operated facilities in the nation. The Corps has been delegated authority by Congress to manage and regulate public use of the lake. As part of its management program, the Corps may issue permits to install minor private facilities on certain public lands and waters.

Permit/Licenses are issued for a maximum of five years and are nontransferable. They grant no real estate rights nor convey any private exclusive use privileges on government property. Thurmond Lake's shoreline is open to use by the general public.

This guide contains helpful information on how to apply for a "Shoreline Use Permit/License".

WHO MAY APPLY

Individuals who own property adjacent to public lands and share a common boundary line with the Corps may apply for a Shoreline Use Permit/License. The adjacent land must be a buildable lot, as required by the county. The type of items that may be permitted is based on the zoning of the shoreline adjacent to this shared common boundary line. First-time applicants for new facilities must meet on-site with a Park Ranger.

HOW TO APPLY

Contact the Thurmond Project Office at 1-800-533-3478 and request an appointment with the Shoreline Park Ranger responsible for your area of the lake.

The Park Ranger will meet with you at the property to discuss Shoreline Management policies. You will be given an application packet to complete and return to the Thurmond Project Office for review and approval. Final approval will not be given until the Operations Project Manager or his authorized representative reviews and issues the permit. Once the permit is approved, a permit tag will be mailed to the permittee. This tag must be displayed on the outside of the dock or along the shoreline if a dock is not present.

WHAT TO FILE

- One (1) completed original application.
 - One (1) copy of your property deed or closing statement. (Note: Must be signed and notarized.)
 - One (1) copy of engineered dock drawings displaying dimensions or plans from a dock builder with dock plans on file.
 - Community dock agreement with each members name (if applicable)
 - Electrical certification statement (after installation/upon reauthorization)
 - Check Payable to F & A Officer for the amount of \$ _____
- ❖ **Note: All information must be submitted at the same time. Partial or incomplete applications will *not* be accepted.**

WHERE TO FILE

J. Strom Thurmond Project,
ATTN: Shoreline Section
Rt. 1 Box 12
Clarks Hill, South Carolina 29821
Telephone: 800-533-3478

WHAT FACILITIES MAY BE AUTHORIZED

FACILITY TYPE

Floating Facility
Underbrushing with dock
Underbrushing alone
Electric Line
(requires electric certification)

FACILITY TYPE

Water Line
Improved Walkways
Shoreline Protection

HOW TO MODIFY THE PERMIT

Modification to any part of the permit requires prior approval. A site review is generally required. Contact the Thurmond Project Office for additional information.

PERMIT EXPIRATIONS

Expiring permits are normally processed automatically. Please keep your mailing address current.

RULES AND REGULATIONS

Regulations governing the use of the Thurmond Project are established in the Title 36, Code of Federal Regulations, Part 327. Copies are available at the Thurmond Project Office.

NOTE

Any type of work or installation of facilities on public property must be pre-approved. A permit must be issued prior to any work being done on public property. To protect and properly manage Thurmond Project land and water resources, the following acts are PROHIBITED:

- Planting of non-native and ornamental vegetation.
- Removal of trees or vegetation.
- Storage of personal items (such as swings, picnic tables, benches, storage sheds, boat trailers, etc) on public land.
- Grading, leveling, or digging.

A violation of the provisions of the regulations shall subject the violator to a fine as defined in Title 36, CFR of not more than \$5000.00 or imprisonment for not more than six (6) months, or both. In addition, any or all parts of the permit may be terminated.

PROCESSING THE APPLICATION

It will take approximately 2 to 4 weeks to evaluate and process your application. Much of this time depends on the accuracy and completeness of your application. Be sure to check all application requirements prior to mailing.

“ **Information subject to change**

Exhibit II

Shoreline Use Permit Conditions

1. This permit is granted solely to the applicant for the purpose described on the attached permit.
2. The permittee agrees to and does hereby release and agree to save and hold the Government harmless from any and all causes of action, suits at law or equity, or claims or demands or from any liability of any nature whatsoever for or on account of any damages to persons or property, including a permitted facility, growing out of the ownership, construction, operation or maintenance by the permittee of the permitted facilities and/or activities.
3. Ownership, construction, operation, use and maintenance of a permitted facility are subject to the Government's navigation servitude.
4. No attempt shall be made by the permittee to forbid the full and free use by the public of all public waters and/or lands at or adjacent to the permitted facility or to unreasonably interfere with any authorized project purposes, including navigation in connection with the ownership, construction, operation or maintenance of a permitted facility and/or activity.
5. The permittee agrees that if subsequent operations by the Government require an alteration in the location of a permitted facility and/or activity or if in the opinion of the District Commander a permitted facility and/or activity shall cause unreasonable obstruction to navigation or that the public interest so requires, the permittee shall be required, upon written notice from the District Commander to remove, alter, or relocate the permitted facility, without expense to the Government.
6. The Government shall in no case be liable for any damage or injury to a permitted facility which may be caused by or result from subsequent operations undertaken by the Government for the improvement of navigation or for other lawful purposes, and no claims or right to compensation shall accrue from any such damage. This includes any damage that may occur to private property if a facility is removed for non-compliance with the conditions of the permit.
7. Ownership, construction, operation, use and maintenance of a permitted facility and/or activity are subject to all applicable Federal, state, and local laws and regulations. Failure to abide by these applicable laws and regulations may be cause for revocation of the permit.
8. This permit does not convey any property rights either in real estate or material; and does not authorize any injury to private property or invasion of private rights or any infringement of Federal, state, or local laws or regulations, nor does it obviate the necessity of obtaining state or local assent required by law for the construction, operation, use and maintenance of a permitted facility and/or activity.

9. The permittee agrees to construct the facility within the time limit agreed to on the permit issuance date. The permit shall become null and void if construction is not completed within that period. Further, the permittee agrees to operate and maintain any permitted facility and/or activity in a manner so as to provide safety, minimize any adverse impact on fish and wildlife habitat, natural, environmental, or cultural resources values and in a manner so as to minimize the degradation of water quality.
10. The permittee shall remove a permitted facility within 30 days, at his /her expense, and restore the waterway and lands to a condition accepted by the Operations Project Manager upon termination or revocation of this permit or if the permittee ceases to use, operate or maintain a permitted facility and/or activity. If the permittee fails to comply to the satisfaction of the Operations Project Manager, the District Commander may remove the facility by contract or otherwise and the permittee agrees to pay all costs incurred thereof.
11. The use of a permitted boat dock facility shall be limited to the mooring of the permittee's vessel or watercraft and the storage, in enclosed locker facilities, of his/her gear essential to the operation of such vessel or watercraft.
12. Neither a permitted facility nor any houseboat, cabin cruiser, or other vessel moored thereto shall be used as a place of habitation or as a full or part-time residence or in any manner which gives the appearance of converting the public property, on which the facility is located, to private use.
13. Facilities granted under this permit will not be leased, rented, sub-let or provided to others by any means of engaging in commercial activity(s) by the permittee or his/her agent for monetary gain. This does not preclude the permittee from selling total ownership of the facility.
14. Floats and the flotation material for all docks and boat mooring buoys shall be fabricated of materials manufactured for marine use. The float and its flotation material shall be 100% warranted for a minimum of 8 years against sinking, becoming waterlogged, cracking, peeling, fragmenting or losing beads. All floats shall resist puncture and penetration and shall not be subject to damage by animals under normal conditions for this area. All floats and the flotation material used in them shall be fire resistant. Any float, which is within 40 feet of a line carrying fuel, shall be 100% impervious to water and fuel. The use of new or recycled plastic or metal drums or non-compartmentalized air containers for encasement or floats is prohibited. Existing floats are authorized until it or its flotation material is no longer serviceable, at which time it shall be replaced with a float that meets the conditions listed above. For any floats installed after the effective date of this specification, repair or replacement shall be required when it or its flotation material no longer performs its designated function or it fails to meet the specifications for which it was originally warranted.
15. Permitted facilities and activities are subject to periodic inspection by authorized Corps representatives. The Operations Project Manager will notify the permittee of any deficiencies

and together establish a schedule for their correction. No deviation or changes from approved plans will be allowed without prior written approval of the Operations Project Manager.

16. Floating facilities shall be securely attached to the shore in accordance with the approved plans by means of moorings, which do not obstruct general public use of the shoreline or adversely affect the natural terrain or vegetation. Anchoring to vegetation is prohibited.

17. The permit display tag shall be posted on the permitted facility and/or on the land areas covered by the permit so that it can be visually checked with ease in accordance with instructions provided by the Operations Project Manager.

18. No vegetation other than that prescribed in the permit will be damaged, destroyed or removed. No vegetation of any kind will be planted, other than that specifically prescribed in the permit.

19. No change in landform such as grading, excavation or filling is authorized by this permit.

20. This permit is non-transferable. Upon sale or other transfer of the permitted facility or the death of the permittee and his/her legal spouse, this permit is null and void.

21. By 30 days written notice, mailed to the permittee by certified letter, the District Commander may revoke this permit whenever the public interest necessitates such revocation or when the permittee fails to comply with any permit condition or term. The revocation notice shall specify the reasons for such action. If the permittee requests a hearing in writing to the District Commander through the Operations Project Manager within the 30 day period, the District Commander shall grant such hearing at the earliest opportunity. In no event shall the hearing date be more than 60 days from the date of the hearing request. Following the hearing, a written decision will be rendered and a copy mailed to the permittee by certified letter.

22. Notwithstanding the condition cited in Condition 21 above, if in the opinion of the District Commander, emergency circumstances dictate otherwise, the District Commander may summarily revoke the permit.

23. When vegetation modification on these lands is accomplished by chemical means, the program will be in accordance with appropriate Federal, state, and local laws, rules and regulations.

24. The Operations Project Manager or his/her authorized representative shall be allowed to cross the permittee's property, as necessary, to inspect facilities and/or activities under permit.

25. When vegetation modification is allowed, the permittee will delineate the government property line in a clear, but unobtrusive manner approved by the Operations Project Manager and in accordance with the project Shoreline Management Plan.

26. If the ownership of a permitted facility is sold or transferred, the permittee or new owner will notify the Operations Project Manager of the action prior to finalization. The new owner must apply for a Shoreline Use Permit within 45 days or remove the facility and restore the use area within 45 days from the date of ownership transfer.

27. If permitted facilities are removed for storage or extensive maintenance, the Operations Project Manager may require all portions of the facility be removed from public property.

28. This permit is a privilege granted by the United States. In consideration of the issuance of this permit, the permittee must be in compliance with Title 36, Part 327 (including but not limited to Sections 14, 15, 20 ... and 30) and must remain in compliance with those sections. Any incidents of noncompliance with those sections or the conditions below may result in revocation of this permit or non-renewal, or the addition of other special conditions. Non-issuance or revocation will require removal of the permitted facility (ies) at the owner's expense.